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REMARKS

Claims 1-43 are currently pending in the subject application and are presently under consideration. Claims 1, 17, 35, 39 and 43 have been amended herein to further emphasize aspects of applicant's claimed subject matter, and claims 29 and 32 have been amended to cure a minor informality. A version of all pending claims is shown on pages 2-8 of this Reply. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Corrected Information Disclosure Statement

In response to the Examiner's indication that the Supplemental Information Disclosure Statement filed December 28, 2005 is deficient; a Supplemental Information Disclosure Statement (Substitute for form 1449/PTO/SB/08a) is filed concurrently herewith that remedies the noted deficiency.

II. Rejection of Claims 1-11, 14-40 and 43 Under 35 U.S.C. §102(b)

Claims 1-11, 14-40 and 43 stand rejected under 35 U.S.C. §102(b) as being anticipated by Coburn *et al.* (US 2002/0120921). This rejection should be withdrawn for at least the following reasons. Coburn *et al.* fails to disclose or suggest each and every aspect set forth in the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

Applicant's claimed subject matter relates to a system and methodology that facilitates automatic generation of control code that utilizes function objects within Human-Machine Interfaces (HMI). The subject matter as claimed thus enables an industrial system and/or process operator, not skilled in computer programming but familiar with the industrial system and/or process, to customize control code necessary

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for industrial automation. To this end, independent claims 1, 17, 35, 39 and 43 recite similar features, namely: *a component that analyzes the HMI representation of objects, each object that comprises the HMI representation is dynamically subsumable into other objects included in the HMI representation to form distinct HMI objects that include features of both subsumed objects, the analysis based at least in part on a relatedness of each object that comprises the HMI representation and a feasibility determination for implementing the HMI representation.* Coburn *et al.* does not disclose or suggest these exemplary features of the claimed subject matter.

Coburn *et al.* relates to system software for managing the design, simulation, implementation and maintenance of a manufacturing process. The cited document however does not disclose HMI objects that are dynamically subsumable with one another so that subsequent to subsumption of one HMI object into another the created or formed HMI object includes features of both subsumed objects. Further, the cited document does not disclose analyzing the HMI representation of objects based on the relatedness of each object that comprises the HMI representation as well as on a feasibility determination for implementing the HMI representation in its entirety. Rather, the cited document provides a compiler that generates execution code to be run by a PLC to drive control mechanisms; the compiler does not effectuate an analysis to both determine the relatedness of each object that comprises the HMI representation as well as the feasibility for implementing the HMI representation. Additionally, the cited document discloses a data construct called a control assembly (CA) that apparently is a static construct that defines each type of mechanical resource that may be specified by a process engineer. Applicant's claimed subject matter in contrast provides a HMI object that is dynamically combinable with other HMI objects to form synthesized HMI objects that have attributes from both parent HMI objects. It is thus submitted that the cited document does not disclose or suggest each and every limitation set forth in the subject claims. Accordingly, the rejection of claims 1, 17, 35, 39 and 43, and associated dependent claims, should be withdrawn.

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III. Rejection of Claims 12-13 and 41-42 Under 35 U.S.C. §103(a)

Claims 12-13 and 41-42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Coburn *et al.* (US 2002/0220921) in view of Polz *et al.* (US 2004/02605 18). Withdrawal of this rejection is requested for at least the following reasons. Claims 12-13 and 41-42 depend from independent claims 1 and 39 respectively, and Polz *et al.* fails to make up for the aforementioned deficiencies with respect to Coburn *et al.* Polz *et al.* relates to an apparatus and a method for operating and/or observing automation components having a communication device for data communication with automation components, and a data processing device for processing the data received and to be transmitted. The secondary document does not however disclose the dynamically combinable HMI objects as recited in the subject independent claims, or suggest facilitating analysis of HMI representations based at least in part on a relatedness of each HMI object that comprises the HMI representation as well as feasibility determination as to whether the HMI representation can be implemented. Accordingly, withdrawal of this rejection is requested.

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CONCLUSION


The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [ALBRP315US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Michael J. Medley
Reg. No. 57,058

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731